

REMARKS

Further and favorable reconsideration is respectfully requested in view of the foregoing amendments and following remarks.

Abstract Amendments

The abstract has been amended to address the Examiner's objection. Accordingly, the objection to the disclosure (abstract) has been overcome and should be withdrawn.

Claim Amendments

Claim 1 has been amended to incorporate the limitations of claims 2, 3 and 6, as a result of which these claims, as well as claims 8, 9 and 12 have been cancelled, without prejudice. Additionally, claim 1 has been amended to recite that the water content in the dough at the completion of expansion by heating is not less than 7%, so that soybean 7S protein can be detected by SDS-PAGE, and that the drying is carried out under conditions where a dough temperature does not exceed 100°C. Support for these amendments can be found on page 7, lines 16-19, and page 11, lines 5-12 of Applicants' specification. Thus, no new matter has been added to the application by these amendments.

Patentability Arguments

The patentability of the present invention over the disclosures of the references relied upon by the Examiner in rejecting the claims will be apparent upon consideration of the following remarks.

Rejection Under 35 U.S.C. § 103(a)

The rejection of claims 1-12 under 35 U.S.C. § 103(a) as being unpatentable over Niwano et al. in view of Youngquist is respectfully traversed.

The Examiner takes the position that Niwano et al. disclose a method of preparing a shaped food product, comprising expanding hydrated dough comprising soybean

protein by heating, where the heating is done by oven or microwave irradiation. The Examiner states that the dough of Niwano et al. comprises protein and starchy substances. The Examiner admits that Niwano et al. fail to teach or suggest 1) that the protein is soybean 7S protein, 2) the step of drying the dough after heating, 3) the recited starch substance, and 4) the recited water content.

The Examiner states that Youngquist discloses a shaped textured protein food product, and teaches the use of 7S soybean protein as an excellent binder for textured protein food products. The Examiner asserts that it would have been obvious to one skilled in the art to use the 7S soybean protein as taught by Youngquist. The Examiner also states that it would have been obvious to dry the dough after heating depending on the moisture content wanted in the final product, and that such parameter can readily be determined by one skilled in the art.

As discussed in Applicants' specification, it is desirable to ingest soybean 7S protein in a low water content state in order to efficiently ingest an effective amount of soybean 7S protein for suppressing serum triglyceride. However, dry powder of soybean protein is difficult to eat because it is highly hygroscopic and becomes very viscous upon hydration. (See page 3, line 22 to page 4, line 6 of Applicants' specification.)

Applicants' presently claimed invention solves this problem, which is specific for soybean 7S protein, and is not observed in other soybean proteins. Applicants have discovered that this problem is solved by expansion processing. However, Applicants also discovered that expansion processing may impair the characteristics of protein to be detected as soybean 7S protein, i.e. the soybean 7S protein cannot be detected by electrophoresis using a SDS-polyacrylamide gel). (See page 4, lines 15-18 of Applicants' specification.)

According to the presently claimed invention, the recited conditions are employed in expansion processing of soybean 7S protein, thus solving the problem. Thus, Applicants' claims recite a process for producing a shaped food comprising soybean 7S protein which is excellent in taste, where the process does not have an adverse affect on the detection of the 7S component.

The references relied upon by the Examiner do not teach or suggest even the presence of the above-mentioned problem, which is specific to soybean 7S protein. Accordingly, these references, taken alone or in combination, do not teach or suggest Applicants' inventive process for remedying the problem.

For these reasons, Applicants' pending claims are clearly patentable over the cited combination of references.

Conclusion

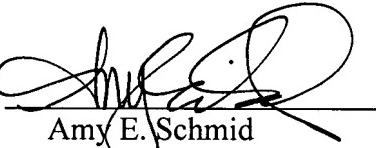
Therefore, in view of the foregoing amendments and remarks, it is submitted that each of the grounds of objection and rejection set forth by the Examiner has been overcome, and that the application is in condition for allowance. Such allowance is solicited.

If, after reviewing this Amendment, the Examiner feels there are any issues remaining which must be resolved before the application can be passed to issue, the Examiner is respectfully requested to contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

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